

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 16-cr-339 MJD/FLN

United States of America,

Plaintiff,

v.

ORDER

Preston E. Forthun (01);
Abdinasir M. Abikar (02);
Ali M. Abikar (03);
Dana S. Comeaux (04);
Abdisalan A. Hussein (05);
Carlos P. Luna (06);
Sahal A. Warsame (07)

Defendants.

This matter is before the court on Defendants' Forthun, Ali Abikar, Luna, Hussein, Warsame, Abdinasir Abikar, and Comeaux's motions to continue [ECF Nos. 66, 70, 73, 76, 80, 83 and 86]. The court having considered the factors set forth in 18 U.S.C. § 3161(h)(7)(A), finds that the ends of justice served by the granting of the requested continuances outweigh the best interests of the public and the defendant in a speedy trial. This finding is based on the facts set forth in the defendants' Statement of Facts in Support of Exclusion of Time Under Speedy Trial Act [ECF Nos 68, 72, 75, 78, 82, 84 and 87], specifically because the defendants require additional time to review the extensive amount of discovery.

Accordingly, **IT IS HEREBY ORDERED** that:

1. The motions for continuance [ECF Nos. 66, 70, 73, 76, 80, 83 and 86] are granted.
2. All motions must be filed and served by April 7, 2017.
3. All responses to motions must be filed by April 21, 2017.

4. Any Notice of Intent to Call Witnesses must be filed by April 21, 2017.
5. Any Responsive Notice of Intent to Call Witnesses must be filed by April 26, 2017.
6. A motions hearing will be held on April 28, 2017 at 9:30 a.m. before the undersigned in Courtroom 9W, U.S. Courthouse, 300 South Fourth Street, Minneapolis, Minnesota.
7. The delay from the date of the filing of the first motion for a continuance of January 19, 2017, until the new motion filing date of April 7, 2017, is excluded from the calculation of time required by the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A), in that the ends of justice served by such action outweigh the best interest of the public and the defendant in a speedy trial. The Clerk of Court is ordered to terminate ECF Motions Nos. 67, 71, 74, 77, 81, 83, and 85.
8. A trial date will be issued by separate order.

Dated: February 3, 2017

s/Franklin L. Noel
FRANKLIN L. NOEL
U.S. Magistrate Judge
United States District Court